

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER TODD BOUDREAU,

Defendant.

CR 22–46–M–DWM

ORDER

On October 6, 2022, Defendant Christopher Boudreau was charged by indictment with attempted coercion and enticement in violation of 18 U.S.C. § 2422(b) (Count 1) and possession of child pornography in violation of 18 U.S.C. § 2552A(a)(5)(B) (Count 2). On the defendant’s motion, (*see* Doc. 17), trial was continued out to April 3, 2023, (*see* Doc. 19). However, on December 7, 2022, the defendant filed an unopposed motion for a competency evaluation. (*See* Doc. 27.) That motion was granted on December 9, (*see* Doc. 28), and the defendant was sent to FDC SeaTac for evaluation. At the end of March 2023, the Court received a Forensic Evaluation from Ryan Nybo, Psy. D., a forensic psychologist at FCI SeaTac concluding that the defendant is competent to proceed in this case. (*See* Doc. 32-2.) A competency hearing was held on April 14, 2023, and the parties stipulated to the evaluator’s competency finding.

Based on the March 20, 2023 forensic evaluation and the parties' stipulation, the Court finds that the defendant is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense.

Accordingly, IT IS ORDERED that the defendant is DEEMED competent to proceed.

IT IS FURTHER ORDERED that the time from December 9, 2022, to April 14, 2023 is excluded from the Speedy Trial calculation pursuant to 18 U.S.C. § 3161(h)(1)(A).

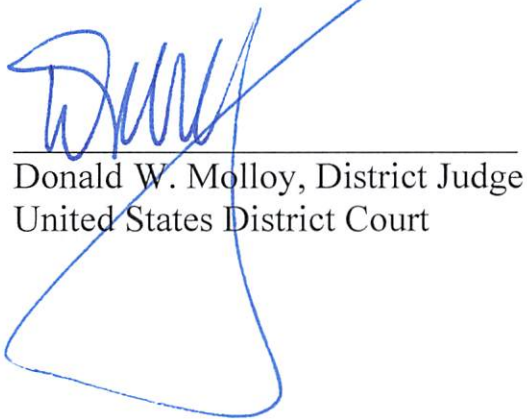
IT IS FURTHER ORDERED that the following schedule shall govern further proceedings:

- Trial Date¹: **May 22, 2023; 9:00 a.m.**
Russell Smith Courthouse
Missoula, Montana
- Expert disclosure deadline: April 26, 2023
- Motions deadline (including motions in limine): April 26, 2023
- Response deadline: May 3, 2023
- Plea agreement deadline: May 11, 2023
- JERS deadline (*see* ¶ 22): May 15, 2023
- Jury instructions and trial briefs deadline: May 17, 2023

¹ Counsel shall appear in chambers a half hour before the scheduled trial time.

This schedule must be strictly adhered to by the parties. One or both parties may ask the Court to determine or modify the time, place, manner, or other aspect of pretrial disclosure to facilitate preparation for trial. Fed. R. Crim. P. 16.1(b). The November 2, 2022 Scheduling Order (Doc. 16) shall remain in full force and effect in all other respects.

DATED this 14th day of April, 2023.



Donald W. Molloy, District Judge
United States District Court